

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**IN RE:** : **CHAPTER 11**  
**FRANK G. SCHAFFER,** : **BANKR. NO. 18-18133**  
**DEBTOR** :

**ORDER CONTINUING THE STAY BEYOND THIRTY (30) DAY PERIOD**

AND NOW, this        day of January, 2019, upon consideration of the Debtor's Motion for Continuance of the Stay Beyond a Thirty (30) Day Period ("Motion"), and the Responses, thereto, if any, it is hereby

ORDERED that the Motion is GRANTED.

It is hereby ORDERED that the automatic stay in this case is extended beyond thirty (30) days after the duration of this case as to ALL creditors of the Debtor unless relief from same is granted.

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United States Bankruptcy Judge

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<b>IN RE</b>	<b>:</b>	<b>BANKR. NO. 18-18133</b>
<b>FRANK G. SCHAFFER,</b>	<b>:</b>	<b>CHAPTER 11</b>
<b>DEBTOR</b>	<b>:</b>	

**MOTION (“MOTION”) FOR CONTINUANCE OF THE STAY BEYOND  
THIRTY (30) DAY PERIOD**

The Debtor requests that the automatic stay arising from his above bankruptcy Case filing be continued beyond the thirty (30) day period set forth in 11 U.S.C. Section 362(c) (3), for the following reasons:

1. The Debtor filed this Chapter 11 bankruptcy case on December 10, 2018.
2. The Debtor filed one prior bankruptcy case, a Chapter 13 case at Bankr. No. 18-11955, on March 23, 2018 (“the Prior Case”), The Prior Case was filed by Allan K. Marshall, Esquire. Counsel entered his appearance in the Prior Case on April 5, 2018
3. The Prior Case was voluntarily dismissed on September 26, 2018, but did not implicate 11 U.S.C. section 109(g), because the case was not dismissed on a motion of the court for willful failure to abide by an order of the court or the failure to properly prosecute that case, and it was not following the filing of a motion for relief from the automatic stay.
4. The Prior Case was dismissed because the Debtor no longer believed that the Prior Case could be prosecuted under Chapter 13 of the Code and a motion was pending which sought a dismissal of that case with a bar from refileing.
5. The instant case was filed under Chapter 11 of the Code and could be dismissed and refiled under Chapter 11 without a bar order.

6. The circumstances of the Debtor which led to the dismissal of the Prior Case have have therefore changed from those of the Prior Case and the is confident that, having now filed under an appropriate Chapter of the Code, 1he will be able to confirm a Chapter 13 plan and ultimately obtain his discharge.

WHEREFORE, the Debtor requests that this court will grant the instant Motion requesting to extend the automatic stay beyond the thirty (30) day period and for the duration of this case as to all of his creditors.

Respectfully submitted,

/s/David A. Scholl

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